

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL P HOLLINS,

No C-09-2028 VRW (PR)

Plaintiff,

v

ORDER OF DISMISSAL

STARR A WILSON, Court Reporter,

Defendant.

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Petitioner, a federal prisoner incarcerated at the United States Penitentiary, Hazelton in West Virginia, has filed a pro se civil rights complaint under 42 USC section 1983 against Starr A Wilson, a court reporter for the federal district court, Northern District of California. Doc #1. Petitioner seems to be complaining about events that took place on November 27, 2007 when he appeared before the Honorable Sandra Brown Armstrong, Judge of the Northern District of California, for a supervised release revocation and disposition hearing in case No CR-92-00126-SBA. According to the court docket for that case, Starr A Wilson was the court reporter transcribing the proceedings. See case No CR-92-00126-SBA, Doc

1 #174. Plaintiff seeks damages.

2 The sole allegation in plaintiff's complaint is that the
3 court reporter's actions in his case constituted a violation of her
4 oath. As a result, the court per order filed on July 6, 2009
5 afforded plaintiff thirty days to amend his complaint and allege, if
6 possible, how the court reporter's actions deprived him of a right
7 secured by the Constitution or laws of the United States. Doc #6.
8 Plaintiff was advised that failure to file a proper amended
9 complaint within the designated time would result in dismissal of
10 the action. Id.

11 Forty days have elapsed since plaintiff was ordered to
12 file an amended complaint. Plaintiff, however, has failed either to
13 file an amended complaint or seek an extension of time to do so.
14 Accordingly, the action is DISMISSED without prejudice.

15 The clerk shall close the file and terminate all pending
16 motions as moot.

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18 IT IS SO ORDERED.

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21 VAUGHN R WALKER
22 United States District Chief Judge

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